

**TOWNSHIP OF BERKELEY HEIGHTS
UNION COUNTY, NEW JERSEY
COUNCIL MEETING HELD JANUARY 19, 2021**

CALL TO ORDER

At 7:00 p.m. the Mayor called the meeting to order and the Township Clerk stated adequate notice of this meeting has been provided by posting the same on the bulletin board of Town Hall and forwarding a copy to the Courier News and Star Ledger at least forty-eight hours prior to this meeting, all in accordance with the Open Public Meetings Act.

ROLL CALL

The following Council members were present:

Manuel Couto
Jeanne Kingsley
Alvaro Medeiros
Jeff Varnerin
Stephen Yellin
Angie D. Devanney, Mayor

The following Council members were absent:

Gentiana Brahimaj

Also present were:

Township Attorney: Chris Corsini
Township Administrator: Liza Viana
Township Clerk: Ana Minkoff

FLAG SALUTE

Mayor Devanney asked everyone present to stand for the Flag Salute.

PROCLAMATION - John Elward

The Mayor read a Proclamation which extended condolences to the family of Mr. Elward for his passing and publicly recognized his dedication and service to the Township of Berkeley Heights.

Members of Mr. Elward's family were present and thanked the Mayor and Council.

EXECUTIVE SESSION –

1. Attorney-Client Privilege – Contract Negotiation - Municipal Complex - Mast

Move to go into Executive Session

(7:11 p.m.)

Mover: Mrs. Kingsley
Seconder: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

8:00 p.m. – Public Meeting resumed.

PROCLAMATION - Chief John DiPasquale

The Mayor read a Proclamation which publicly thanked Chief DiPasquale for his many years of public service and wished him only the best in his future endeavors.

Members of the public were offered an opportunity to speak.

Father Andy of the Church of the Little Flower expressed his appreciation for Chief DiPasquale and wished him well.

Ms. Bhargavi Akiri of 146 Robbins Avenue expressed her appreciation for Chief DiPasquale and wished him well.

Sergeant Mea, President of PBA 144, spoke about his history with and appreciation for Chief DiPasquale.

Councilmembers each shared their comments of appreciation, well wishes and thanks to Chief DiPasquale.

Mr. DiPasquale and his family were present and thanked everyone for their support and kind words.

CONFERENCE SESSION - Environmental Commission

Mr. Leister, of the Environmental Commission, spoke about Land Use resolutions which were proposed by the Environmental Commission and relate to Sustainable Jersey.

Council provided feedback and asked questions. A discussion followed.

Mayor Devanney opened the discussion on this topic to the public.

Ms. Illis of 102 Twin Falls Road expressed her support and thanks to the Environmental Commission.

Mr. Carrellas of 35 Sycamore Avenue asked about the process for a group of citizens in the Township to recommend policies to the Council. Mayor Devanney responded.

TOWNSHIP COUNCIL REPORTS

Councilmembers provided Council Reports and Committee updates.

ADMINISTRATION REPORTS

Mayor Devanney provided the Mayor's Report.

Ms. Viana provided the Administrator's Report

Approval of Township Council and Administration Reports

Mover: Mr. Medeiros

Seconder: Mr. Yellin

Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: Mrs. Brahimaj

Result: Approved

HEARING ON AGENDA ITEMS ONLY

Opening of the Hearing on Agenda Items Only

Mover: Mr. Varnerin
Second: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Mayor Devanney read a statement regarding the procedures for public comment given the virtual (ZOOM) meeting.

Mr. Foregger of 14 Dorset Road asked for costs and further clarification on points listed in the Land Use resolutions discussed by Mr. Leister. Mr. Medeiros and Mayor Devanney responded.

Closing of the Hearing on Agenda Items Only

Mover: Mr. Varnerin
Second: Mr. Couto
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

APPROVAL OF RESOLUTIONS

1. Resolution approving Bill List dated January 19, 2021 in the amount of \$656,569.68.

Approval of Resolution

Mover: Mr. Yellin
Second: Mrs. Kingsley
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

PULLED

2. Resolution appointing a Chief of Police of the Berkeley Heights Police Department.
3. Resolution increasing the Township's bid threshold to \$44,000.00, along with a quote threshold of \$6,600.00.

Approval of Resolution

Mover: Mr. Medeiros
Second: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

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4. Resolution appointing Kelly Boyette to the Grants Committee for a term to expire on 12/31/22.

Approval of Resolution

Mover: Mr. Couto
Seconder: Mrs. Kingsley
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

5. Resolution extending the Mayor's Youth Council Committee for a term to expire on December 31, 2021.

Approval of Resolution

Mover: Mrs. Kingsley
Seconder: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

6. Resolution extending the Mayor's Advisory Committee for Truth, Racial Healing and Transformation for a term to expire on April 30, 2021.

Mrs. Kingsley asked about the dates included on the resolution. Mrs. Minkoff explained.

Approval of Resolution

Mover: Mr. Medeiros
Seconder: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

7. Resolution awarding a one (1) year contract to Rapid Pump and Meter, for the provision of repair services for on- site rate of \$123.00 per hour, in-shop \$70.00 per hour, emergency rate, on -site \$162.00 per hour for the Waste Water Treatment Plant.

Approval of Resolution

Mover: Mr. Varnerin
Seconder: Mr. Couto
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

Result: Approved

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8. Resolution authorizing an amendment to a contract with Mast Construction in connection with the Municipal Complex Redevelopment project.

Mr. Yellin suggested the resolution be amended to change the expiration date from 3/31/2021 to 4/30/2021. Mr. Corsini responded.

Approval of Resolution as Amended

Mover: Mr. Yellin

Seconder: Mr. Couto

Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: Mrs. Brahimaj

Result: *Approved as Amended*

9. Resolution authorizing a service charge on returned checks for insufficient funds.

Approval of Resolution

Mover: Mr. Medeiros

Seconder: Mrs. Kingsley

Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: Mrs. Brahimaj

Result: *Approved*

10. Resolution authorizing the sale of surplus personal property no longer needed on the State approved website, municibid.com.

Mr. Couto asked about the property items. Mrs. Minkoff responded.

Approval of Resolution

Mover: Mr. Couto

Seconder: Mr. Varnerin

Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

Absent: Mrs. Brahimaj

Result: *Approved*

CONSENT AGENDA

All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

11. Consent Agenda Resolutions (a)

- a. Resolution authorizing a release of a cash performance bond in the amount of \$7,000 to Mr. Corey A. Bussey, for work performed at 880 Mountain Avenue.

Approval of Consent Agenda Resolutions # 10a

Mover: Mr. Medeiros
Seconder: Mrs. Kingsley
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj
Result: *Approved*

INTRODUCTION OF ORDINANCES

PULLED

- 1. "AN ORDINANCE APPROVING THE EXECUTION OF A FIRST AMENDMENT TO LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC EXTENDING THE EXISTING LEASE AGREEMENT FOR THE TELECOMMUNICATIONS FACILITY AT 259 DIAMOND HILL ROAD FOR AN ADDITIONAL FIVE-YEAR TERM WITH TWO ADDITIONAL FIVE-YEAR OPTIONS."**

Public Hearing and Final Adoption Scheduled for February 2, 2021.

The Clerk presented and read:

- 2. An Ordinance of the Township of Berkeley Heights, County of Union, State of New Jersey, Amending and Supplementing Title 2 of *The Code of the Township of Berkeley Heights* ("Administration and Personnel") at Chapter 2.69 ("Department of Wastewater Treatment") to add a new Section 2.69.050 entitled "Operations Foreman".**
Explanation: This Ordinance amends the Township Code to create the position of operations Foreman.

Ms. Viana provided an explanation for the Ordinance.

That the Ordinance as read by the Township Clerk be offered on first reading and that February 2, 2021 be set as the date of Public Hearing and that the Township Clerk is directed to advertise same in the Courier News

Mover: Mr. Couto
Seconder: Mrs. Kingsley
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj
Result: *Approved*

CITIZENS HEARING

Opening of the Citizens Hearing

Mover: Mr. Varnerin
Seconder: Mr. Yellin
Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin
Nays: None
Abstain: None
Absent: Mrs. Brahimaj

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Ms. Bhargavi Akiri asked about the time limits for public comment and suggested that the elected officials also have time restrictions. Mayor Devanney and Mr. Corsini responded and a discussion followed.

Closing of the Citizens Hearing

Mover: Mr. Varnerin

Seconder: Mr. Couto

Ayes: Mr. Couto, Mrs. Kingsley, Mr. Medeiros, Mr. Varnerin, Mr. Yellin

Nays: None

Abstain: None

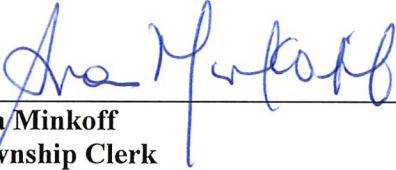
Absent: Mrs. Brahimaj

ADJOURNMENT

Moved by Mrs. Kingsley to adjourn and all were in favor.

(9:12 p.m.)

Approved: April 6, 2021



Ana Minkoff
Township Clerk

